UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

) CRIMINAL NO. 04-10160 (WGY) UNITED STATES OF AMERICA)) **VIOLATIONS:** v.) JUAN ROSARIO, 1. - 21 U.S.C. § 846 a/k/a "Carlos Castro;)) Conspiracy to Distribute,
) And to Possess with Inter JAVIER TORRES-ESPINO, a/k/a "Danny" And to Possess with Intent GEORGE MONTILLA,) To Distribute, Cocaine a/k/a "Jose;") 4. LUIS CASTRO, - 21 U.S.C. § 853) Criminal Forfeiture a/k/a "Nene") 5. RAMON VILLA, a/k/a "Lorenzo Velasquez) a/k/a "Ramon," a/k/a "Jose Andino;) 6. ANSELMO DOMINGUEZ;) 7. CESAR MIRANDA,) a/k/a "Tutu;" and 8. PEDRO INFANTE,) a/k/a "Alex;" Defendants.

SUPERSEDING INDICTMENT

COUNT ONE: (21 U.S.C. § 846 - Conspiracy to Distribute, and to Possess with Intent to Distribute, Cocaine).

The Grand Jury charges that:

Beginning on an unknown date but at least by in or about November 2003 and continuing to on or about March 31, 2004, at Haverhill, Lawrence, Boston and elsewhere in the District of Massachusetts, in Nashua in the District of New Hampshire, and in New York City, in the Southern District of New York, and elsewhere,

- JUAN ROSARIO, a/k/a "Carlos Castro;"

- 4. LUIS CASTRO, a/k/a "Nene"
- 5. RAMON VILLA,

 a/k/a "Lorenzo Velasquez,"

 a/k/a "Ramon,"

 a/k/a "Jose Andino;"
- 6. ANSELMO DOMINGUEZ;
- CESAR MIRANDA,
 a/k/a "Tutu;" and
- 8. PEDRO INFANTE, a/k/a "Alex;"

defendants herein, did knowingly and intentionally combine, conspire, confederate, and agree with each other, and with other persons known and unknown to the Grand Jury, to distribute, and to possess with intent to distribute, cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

The conspiracy charged herein involved five kilograms or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 846 and 841(b)(1)(A)(ii).

FORFEITURE ALLEGATION

The Grand Jury further charges that:

- As a result of the offense alleged in Count One of this Indictment,
 - JUAN ROSARIO,
 a/k/a "Carlos Castro;"

 - 3. GEORGE MONTILLA, a/k/a "Jose;"
 - LUIS CASTRO,
 a/k/a "Nene"
 - 5. RAMON VILLA, a/k/a "Lorenzo Velasquez," a/k/a "Ramon," a/k/a "Jose Andino;"
 - ANSELMO DOMINGUEZ;
 - 7. CESAR MIRANDA, a/k/a "Tutu;" and
 - 8. PEDRO INFANTE,
 a/k/a "Alex;"

defendants herein, shall forfeit to the United States any and all property constituting, or derived from, any proceeds the defendant obtained, directly or indirectly, as a result of the offenses, and any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offenses. Such property includes, but is not limited to:

- (a) \$7,150 in United States currency seized from GEORGE MONTILLA on March 12, 2004, in that such sum represents drug proceeds, and
- (b) \$13,750 in United States currency seized from Jimenez Grocery at Lawrence, MA on March 30, 2004, in that such sum represents drug proceeds, and further represents monies the Defendants intended to use to purchase cocaine; and

- 2. If any of the properties described in paragraph 1, above, as a result of any act or omission of the Defendants --
 - (a) cannot be located upon the exercise of due diligence;
 - (b) has been transferred or sold to, or deposited with, a third party;
 - (c) has been placed beyond the jurisdiction of the Court;
 - (d) has been substantially diminished in value; or
 - (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property described in paragraph 1.

All in violation of Title 21, United States Code, Section 853.

NOTICE OF ADDITIONAL FACTORS

The Grand Jury further finds that:

- 1. The defendant JUAN ROSARIO, a/k/a "Carlos Castro" is accountable for at least 15 kilograms, but not more than fifty kilograms, of cocaine. Accordingly USSG §2D1.1(c)(3) applies to this defendant.
- 2. The defendant JAVIER TORRES-ESPINO, a/k/a "Danny" is accountable for at least 15 kilograms, but not more than fifty kilograms, of cocaine. Accordingly USSG §2D1.1(c)(3) applies to this defendant.
- 3. The defendant GEORGE MONTILLA, a/k/a "Jose" is accountable for at least 2 kilograms, but not more than 3.5 kilograms, of cocaine. Accordingly USSG §2D1.1(c)(6) applies to this defendant.
- 4. The defendant LUIS CASTRO, a/k/a "Nene" is accountable for at least 15 kilograms, but not more than fifty kilograms, of cocaine. Accordingly USSG §2D1.1(c)(3) applies to this defendant.
- 5. The defendant RAMON VILLA, a/k/a "Lorenzo Velasquez," a/k/a "Ramon," a/k/a "Jose Andino" is accountable for at least 500 grams, but not more than 2 kilograms, of cocaine.

 Accordingly USSG §2D1.1(c)(7) applies to this defendant.
- 6. The defendant ANSELMO DOMINGUEZ is accountable for at least 500 grams, but not more than 2 kilograms, of cocaine.

Accordingly USSG §2D1.1(c)(7) applies to this defendant.

- 7. The defendant CESAR MIRANDA, a/k/a "Tutu" is accountable for at least 500 grams, but not more than 2 kilograms, of cocaine. Accordingly USSG §2D1.1(c)(7) applies to this defendant.
- 8. The defendant PEDRO INFANTE is accountable for at least 500 grams, but not more than 2 kilograms, of cocaine.

 Accordingly USSG §2D1.1(c)(7) applies to this defendant.

A TRUE BILL

Foreperson of the Grand Jury

Assistant United States Attorney

DISTRICT OF MASSACHUSETTS:

Returned into the District Court by the Grand Jurors and filed.

Deputy Clerk

9/23/04 @ 2:35pm

U.S. District Court - District of Massachusetts Criminal Case Cover Sheet Category No. II Investigating Agency DEA Place of Offense: Haverhill Haverhill _____ **Related Case Information:** City Superseding Ind./ Inf. X Case No. 04-CR-10160-WGY County Essex New Defendant Same Defendant X Magistrate Judge Case Number 04-M-1069-JGD Search Warrant Case Number R 20/R 40 from District of **Defendant Information:** ☐ Yes Defendant Name Ramon Villa Juvenile: X No "Lorenzo Velasquez," "Jose Andino," "Ramon" Alias Name 187-189 Sanborn Street, Lawrence, MA Address Birthdate: _____ SS # ____ Sex: M Race: Hispanic Nationality: ____ Defense Counsel if known: Paul Markham Address P.O. Box 1101 Melrose, MA 02176 Bar Number U.S. Attorney Information: AUSA Cynthia W. Lie Bar Number if applicable X Yes □ No List language and/or dialect: Spanish Interpreter: Matter to be SEALED: \square Yes X No ☐ Warrant Requested ☐ Regular Process X In Custody **Location Status:** Arrest Date 03/30/04 X Already in Federal Custody as of 03/30/04 in ☐ Already in State Custody at ☐ Serving Sentence ☐ Awaiting Trial ☐ On Pretrial Release: Ordered by: X Indictment Charging Document: ☐ Complaint ☐ Information □ Petty ____ □ Misdemeanor ____ X Felony 2____ Total # of Counts: Continue on Page 2 for Entry of U.S.C. Citations I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are X accurately set forth above.

9/23/09 Signature of AUSA: Date:

S 45 (5/97) (Revised U.S.D.C. MA 2/7/02) Page 2 or Reverse	T ago o c

District Court Case Nu	mber (To be filled in by deputy clerk):
Name of Defendant	Ramon Villa, a/k/a "Lorenzo Velasquez," "Jose Andino," "Ramon"

U.S.C. Citations **Count Numbers** Index Key/Code **Description of Offense Charged** Consp. to Distribute, and to Possess w/ Intent to Dist., Cocaine Set 1 21 U.S.C. § 846 Set 2 21 U.S.C. § 853 Criminal Forfeiture Set 3 _____ Set 6 Set 7 _____ Set 8 _____ Set 11 Set 12 _____ ADDITIONAL INFORMATION:

Criminal Case Cover Sheet

U.S. District Court - District of Massachusetts

Place of Offense: Haverhill Catego	ory No. II Investigating Agency DEA
City Haverhill	Related Case Information:
County Essex	Superseding Ind./ Inf. X Case No. 04-CR-10160-WGY Same Defendant X New Defendant Magistrate Judge Case Number Search Warrant Case Number R 20/R 40 from District of
Defendant Information:	
Defendant Name	Juvenile: Yes X No
Alias Name Danny Parades Address	
Birthdate: SS #	Sex: M Race: Hispanic Nationality:
Defense Counsel if known:	Address
Bar Number	
U.S. Attorney Information:	
AUSA Cynthia W. Lie	Bar Number if applicable
Interpreter: X Yes □ No	List language and/or dialect: Spanish
Matter to be SEALED: ☐ Yes	X No
☐ Warrant Requested	☐ Regular Process X In Custody
Location Status:	
Arrest Date 03/31/04	
X Already in Federal Custody as of Already in State Custody at	03/31/04 in Southern District of New York . □ Serving Sentence □ Awaiting Trial
On Pretrial Release: Ordered by:	on
Charging Document: Compla	int
Total # of Counts:	Misdemeanor X Felony 2
Contin	ue on Page 2 for Entry of U.S.C. Citations
	bers of any prior proceedings before a Magistrate Judge are
Date: $\frac{9/73/09}{}$ Sig	nature of AUSA:

JS 45 (5/	Case 1 (97) (Revised U.S.D.C	: 04-cr-10160 : MA 2/7/02) Page 2	GY Document 44	Filed 09/23/2004	Page 11 of 23
Distric	ct Court Case N	umber (To be:	filled in by deputy clerk):		
Name	of Defendant	Javier Espino	-Torres, a/k/a "Danny Parade	s"	
			U.S.C. Citation	18	
	Index Ke	y/Code	Description of O	ffense Charged	Count Numbers
Set 1	21 U.S.C. § 84	6	Consp. to Distribute, and to Poss	ess w/ Intent to Dist., Cocaine	1
Set 2	21 U.S.C. § 85	3	Criminal Forfeiture		
Set 3					
Set 4					
Set 5					
Set 6					
Set 7					
Set 8			****		
Set 9					
Set 10					
Set 11					
Set 12					
Set 13					
Set 15					

ADDITIONAL INFORMATION:

Criminal Case Cover Sheet

U.S. District Court - District of Massachusetts

Place of Offense: Haverhill Categ	gory No. II Investigating Agency DEA
City Haverhill	Related Case Information:
County Essex	Superseding Ind./ Inf. X Case No. 04-CR-10160-WGY Same Defendant X New Defendant Magistrate Judge Case Number Search Warrant Case Number R 20/R 40 from District of
Defendant Information:	
Defendant Name George Montilla	Juvenile:
Alias Name Jose	
Address <u>22 Hilltop Street, Lawr</u>	ence, MA
Birthdate: SS #	Sex: M Race: Hispanic Nationality:
Defense Counsel if known: Ronal	ld Segal, Esq. Address 23 Central Avenue, Suite 605
Bar Number	Lynn, MA 01901
U.S. Attorney Information:	
AUSA Cynthia W. Lie	Bar Number if applicable
Interpreter: X Yes No	List language and/or dialect: Spanish
Matter to be SEALED: ☐ Yes	X No
☐ Warrant Requested	☐ Regular Process X In Custody
Location Status:	
Arrest Date 03/30/04	
X Already in Federal Custody as of	_03/30/04 in Boston, MA
☐ Already in State Custody at ☐ On Pretrial Release: Ordered by:	☐ Serving Sentence ☐ Awaiting Trial On
Charging Document:	aint
Total # of Counts:	☐ Misdemeanor X Felony 2
Conti	nue on Page 2 for Entry of U.S.C. Citations
	abers of any prior proceedings before a Magistrate Judge are
Date: 9/73/69 Si	gnature of AUSA:

JS 45 (5	(97) (Revised U.S.D.L. MA-277/02) Page 2	GY Reverse Document 44 Filed 09/23/2004	Page 13 of 23			
	District Court Case Number (To be filled in by deputy clerk): Name of Defendant George Montilla, a/k/a "Jose"					
1 (44110		U.S.C. Citations				
	Index Key/Code	Description of Offense Charged	Count Numbers			
Set 1	21 U.S.C. § 846	Consp. to Distribute, and to Possess w/ Intent to Dist., Cocaine	1			
Set 2	21 U.S.C. § 853	Criminal Forfeiture	2			
Set 3						
Set 4						

Set 5 _____

Set 6 _____

Set 7 _____

Set 8 _____

JS45 Montilla.wpd - 2/7/02

U.S. District Court - District of Massachusetts **Criminal Case Cover Sheet** Category No. II DEA Place of Offense: Haverhill Investigating Agency Haverhill **Related Case Information:** City X 04-CR-10160-WGY Case No. Superseding Ind./ Inf. Essex County New Defendant Same Defendant X 04-M-1069-JGD Magistrate Judge Case Number Search Warrant Case Number R 20/R 40 from District of **Defendant Information:** ☐ Yes Defendant Name Luis Castro Juvenile: X No Alias Name Nene 1 Clocktower Place, Apt. 114, Nashua, NH Address Birthdate: SS # Sex: M Race: Hispanic Nationality: Defense Counsel if known: Stephen D. Judge, Esq. Address 23 Central Avenue., #605 Lynn, MA 01901 Bar Number U.S. Attorney Information: Bar Number if applicable AUSA Cynthia W. Lie Spanish X Yes □ No List language and/or dialect: Interpreter: Matter to be SEALED: ☐ Yes X No X Regular Process ☐ Warrant Requested ☐ In Custody **Location Status:** Arrest Date ☐ Already in Federal Custody as of ☐ Already in State Custody at _____ ☐ Serving Sentence ☐ Awaiting Trial X On Pretrial Release: Ordered by: JGD on 05/18/04 ☐ Complaint X Indictment **Charging Document:** ☐ Information Total # of Counts: ☐ Petty ☐ Misdemeanor X Felony 2 Continue on Page 2 for Entry of U.S.C. Citations X I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above. 9/24/04 Date: Signature of AUSA:

Name	of Defendant	Luis Castro, a/k/a "Nene"	
		U.S.C. Citations	
	Index Key/C	<u>Description of Offense Charg</u>	<u>Count Numbers</u>
Set 1	21 U.S.C. § 846	Consp. to Distribute, and to Possess w/ Intent to	Dist., Cocaine 1
Set 2	21 U.S.C. § 8 53	Criminal Forfeiture	
Set 3			
Set 4			
Set 5		<u></u>	
Set 6			
Set 7			
Set 8			
Set 9			
Set 10			
Set 11			
Set 12			
Set 13			
Set 14			<u> </u>
Set 15			
ADDI'	TIONAL INFORM	MATION:	

Criminal Case Cover Sheet U.S. District Court - District of Massachusetts Category No. II DEA Investigating Agency Place of Offense: Haverhill Haverhill _____ **Related Case Information:** City X Case No. 04-CR-10160-WGY Superseding Ind./ Inf. Essex County New Defendant Same Defendant X 04-M-1069-JGD Magistrate Judge Case Number Search Warrant Case Number R 20/R 40 from District of **Defendant Information:** Defendant Name Anselmo Dominguez Juvenile: □ Yes X No Alias Name 82 Temple Street, Haverhill, MA Address Birthdate: SS # Sex: M Race: Hispanic Nationality: John C. McBride, Esq. Address 240 Commercial Street Defense Counsel if known: Boston, MA 02109 Bar Number **U.S. Attorney Information:** Bar Number if applicable AUSA Cynthia W. Lie Spanish X Yes □ No List language and/or dialect: Interpreter: ☐ Yes X No Matter to be SEALED: ☐ In Custody ☐ Warrant Requested X Regular Process **Location Status:** Arrest Date 03/30/04 ☐ Already in Federal Custody as of in ☐ Already in State Custody at ☐ Serving Sentence ☐ Awaiting Trial X On Pretrial Release: Ordered by: JGD Charging Document: ☐ Complaint ☐ Information X Indictment ☐ Petty _____ ☐ Misdemeanor _____ X Felony 2 **Total # of Counts:** Continue on Page 2 for Entry of U.S.C. Citations

I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are X accurately set forth above.

Date:

Signature of AUSA:

		Case 1:04-cr-10160 CV Document
S 45	(5/97)	Case 1:04-cr-10160-WGY Document 4

District Court Case Number (To be filled in by deputy clerk): Name of Defendant Anselmo Dominguez **U.S.C.** Citations **Count Numbers Index Key/Code Description of Offense Charged** Consp. to Distribute, and to Possess w/ Intent to Dist., Cocaine Set 1 21 U.S.C. § 846 Set 2 <u>21 U.S.C. § 853</u> Criminal Forfeiture Set 5 Set 8 _____ Set 10 _____ Set 11 _____ Set 12 Set 15 ADDITIONAL INFORMATION: ___

Criminal Case Cover Sheet U.S. District Court - District of Massachusetts Category No. II Investigating Agency DEA Place of Offense: Haverhill City Haverhill **Related Case Information:** Superseding Ind./ Inf. X Case No. 04-CR-10160-WGY Essex ____ County Same Defendant New Defendant X Magistrate Judge Case Number 04-M-1069-JGD Search Warrant Case Number R 20/R 40 from District of **Defendant Information:** □ Yes Defendant Name Pedro Infante Juvenile: X No Alias Name Alex 62 Jackson Street Extension, #1, Haverhill, MA Address Birthdate: _____ SS # ____ Sex: M Race: Hispanic Nationality: _____ _____ Address _____ Defense Counsel if known: Bar Number U.S. Attorney Information: AUSA Cynthia W. Lie Bar Number if applicable Spanish X Yes □ No List language and/or dialect: Interpreter: \square Yes \square No Matter to be SEALED: ☐ In Custody ☐ Regular Process ☐ Warrant Requested **Location Status:** Fug, the Arrest Date ☐ Already in Federal Custody as of ☐ Already in State Custody at ☐ Serving Sentence ☐ Awaiting Trial On Pretrial Release: Ordered by: X Indictment ☐ Complaint ☐ Information Charging Document: ☐ Petty _____ ☐ Misdemeanor _____ X Felony 2 **Total # of Counts:** Continue on Page 2 for Entry of U.S.C. Citations I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are X accurately set forth above. 9/24/04__ Signature of AUSA: Date:

T_3 - W. 70 3	U.S.C. Citations	Count Number
Index Key/Code	Description of Offense Charged	Count Number
1 21 U.S.C. § 846	Consp. to Distribute, and to Possess w/ Intent to Dist., Cocaine	1
2 <u>21 U.S.C. § 853</u>	Criminal Forfeiture	2
3		
4		
5		
		
		· -
10		
	-	GRAND CONTRACTOR CONTR
12		
13		

Criminal Case Cover Sheet U.S. District Court - District of Massachusetts Category No. II Investigating Agency Place of Offense: Haverhill DEA City Haverhill **Related Case Information:** ____ Case No. Essex ____ Superseding Ind./ Inf. X 04-CR-10160-WGY County Same Defendant New Defendant X 04-M-1069-JGD Magistrate Judge Case Number Search Warrant Case Number R 20/R 40 from District of **Defendant Information:** Juvenile: Defendant Name Cesar Miranda □ Yes X No Alias Name Tuto Address Birthdate: SS # Sex: M Race: Hispanic Nationality: Defense Counsel if known: Lenore Glaser, Esq. Address 25 Kingston Street, 6th Floor Boston, MA 02111 Bar Number **U.S. Attorney Information:** AUSA Cynthia W, Lie Bar Number if applicable List language and/or dialect: Spanish ____ Interpreter: X Yes □ No ☐ Yes X No Matter to be SEALED: X In Custody ☐ Warrant Requested ☐ Regular Process **Location Status:** Arrest Date 03/31/04 X Already in Federal Custody as of 03/31/04 in Boston, MA ☐ Already in State Custody at ☐ Serving Sentence Awaiting Trial On Pretrial Release: Ordered by: ☐ Complaint ☐ Information X Indictment Charging Document: □ Petty _____ □ Misdemeanor ____ X Felony 2 Total # of Counts: Continue on Page 2 for Entry of U.S.C. Citations I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are X accurately set forth above. Signature of AUSA: Date:

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me of Defendant Cesar Min	randa, a/k/a "Tuto"	
	U.S.C. Citations	
Index Key/Code	Description of Offense Charged	Count Number
1 <u>21 U.S.C. § 846</u>	Consp. to Distribute, and to Possess w/ Intent to Dist., Cocaine	1
2 <u>21 U.S.C. § 853</u>	Criminal Forfeiture	2
3		
		,
7		Manufacture (MA)
8		
9	-	
10		
11		
12		
13		-
	:	

U.S. District Court - District of Massachusetts Criminal Case Cover Sheet Category No. II Investigating Agency DEA Place of Offense: Haverhill Haverhill **Related Case Information:** City \mathbf{X} Case No. 04-CR-10160-WGY Superseding Ind./ Inf. County Essex Same Defendant X New Defendant 04-M-1069-JGD Magistrate Judge Case Number Search Warrant Case Number R 20/R 40 from District of **Defendant Information:** Defendant Name Juan Rosario Juvenile: ☐ Yes X No Alias Name Carlos Castro 81 Blaisdell Street #1, Haverhill, MA Address Birthdate: 1965 SS # 7818 Sex: M Race: Hispanic Nationality: _____ Address 408 Atlantic Avenue Page Kelley, Esq. Defense Counsel if known: Boston, MA 02210 Bar Number U.S. Attorney Information: AUSA Cynthia W. Lie Bar Number if applicable □ No Interpreter: X Yes List language and/or dialect: Spanish Matter to be SEALED: \square Yes X No ☐ Warrant Requested ☐ Regular Process X In Custody **Location Status:** Arrest Date 03/30/04 X Already in Federal Custody as of 03/30/04 in Boston, MA ☐ Already in State Custody at ☐ Serving Sentence ☐ Awaiting Trial On Pretrial Release: Ordered by: Charging Document: ☐ Complaint ☐ Information X Indictment **Total # of Counts:** ☐ Petty ☐ Misdemeanor X Felony 2 Continue on Page 2 for Entry of U.S.C. Citations X I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above. 9/24/04

Signature of AUSA:

Date:

District Court Case Number (To be filled in by deputy clerk): Name of Defendant Juan Rosario, a/k/a "Carlos Castro"				
		U.S.C. Citations		
Index K	ey/Code	Description of Offense Charged	Count Numbers	
Set 1 21 U.S.C. § 84		Consp. to Distribute, and to Possess w/ Intent to Dist., Cocaine	1	
21 0.0.0. 30				
Set 2 21 U.S.C. § 85	53	Criminal Forfeiture	2	
0.40				
Set 3				
Set 4		•	William Co. Co.	
Set 5			1 (18) -	
Set 6			,	
Set 7	 			
Set 8				
Set 9				
Set 10				
Set 11				
Set 12				
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Set 13	 			
Set 14				
Set 15				
ADDITIONAL INFO	ORMATION: _			